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February 22, 2024

VIA CM/ECF

Hon. Jessica G. L. Clarke, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

Re: *Johnson-Tucker, et al. v. Loyola School, et al.* – Case No. 23-cv-1351

Honorable Judge Clarke:

This firm represents Plaintiffs in the above-referenced action. We write jointly with counsel for Defendants to inform the court that the parties intend to pursue mediation and to jointly request a 60-day stay of all proceedings and deadlines in this matter, including but not limited to Plaintiffs' February 27, 2024, deadline to respond to Defendants' Motion to Dismiss and the March 3, 2024 deadline for the completion of all fact discovery.¹

The parties have to date exchanged document demands and responses and have met and conferred about issues concerning the scheduling and conduct of depositions and other outstanding discovery, as well as the issues raised on the record in the Parties' call to the Court during the February 9, 2024 deposition of Defendant Tony Oroszlany.

In light of these meet and confers, the parties believe that a 60-day stay of all proceedings will best serve the interests of all parties as it will enable the parties to mediate and discuss a potential resolution of this matter without being burdened by continuing discovery obligations which include the taking of the 15 depositions that remain outstanding² and the service of post-deposition document demands following the taking of same, as well as continued briefing of Defendants' Motion to Dismiss the Second Amended Complaint.

¹ Annexed hereto as Exhibit 1, attached please find a proposed order concerning the proposed Stay.

² To date, the only depositions that have been taken in this matter are the depositions of Plaintiff Kawan Tucker, Sr. and Defendant Tony Oroszlany.

If the Court is amenable to this request, the parties shall write jointly to inform the Court of the status of settlement negotiations, and if necessary, seek a further stay pending the conclusion of these efforts.

Should the Court require any additional information or wish to discuss this matter further, we remain humbly at the Court's disposal.

The parties are hereby ORDERED to appear for a conference with the Court on **March 1, 2024 at 10:00 a.m.** in Courtroom 20C of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York. On February 9, 2024, the parties called the Court during a deposition, for the second time, to discuss a dispute. The Court ordered the parties to submit transcripts of the two depositions at issue. To date, the parties have failed to do so. Accordingly, the parties are ORDERED to submit the transcripts of the depositions at issue, with relevant portions highlighted, by no later than **February 27, 2024.**

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge

Dated: February 23, 2024
New York, New York

Respectfully submitted,

/s/ Derek S. Sells

Derek S. Sells, Esq.
Counsel for Plaintiffs

/s/ Philip Semprevivo

Philip Semprevivo, Esq.
Counsel for Defendants